

mission; defining what shall constitute violations of this Act and fixing the penalties and punishment therefor; making appropriation for the purpose of the Commission; specifying that this law shall be known and cited as the "Blue Sky Law of Texas"; repealing all laws in conflict herewith and specially the Act of the First Called Session of the Thirty-third Legislature, Chapter 32 of the published laws of said session; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Jan. 19, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, having had under consideration

S. B. No. 53, A bill to be entitled "An Act to amend Chapter 49 of the Acts of the Thirty-seventh Legislature, constituting the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts of Bexar County."

Beg to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

RICHARDS, Chairman.

Committee Room,

Austin, Texas, Jan. 19, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 65, A bill to be entitled "An Act to require the giving of an additional supersedeas bond in cases pending on appeal or writ of error in the Supreme Court or the Court of Civil Appeals, wherever, after the execution of the original bond, the same becomes insufficient by reason of the death or insolvency of the sureties on such bond, or from any other cause, and providing for the repeal of all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

## NINTH DAY

Senate Chamber,

Austin, Texas,

Friday, January 21, 1921.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names :

Bailey.	McMillin.
Baugh.	McNealus.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.

Absent.

Clark.	Harp.
Fairchild.	Richards.

Absent—Excused.

Dorough.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

## Invitation to Visit Denton.

The following was presented to the Senate by Senator Williams:

Denton, Texas, Jan. 20, 1921.

To the Honorable Lynch Davidson, Lieutenant Governor of Texas, and to the Members of the State Senate.

Gentlemen: The citizenship of Denton, Texas, hereby extends to the membership of the State Senate of the Thirty-seventh Legislature a most cordial and urgent invitation to join the Speaker of the House and the members of the House of Representatives of the Thirty-seventh Legislature to visit the city of Denton, Texas, including the College of Industrial Arts, the North Texas State Normal College and the State Experiment Farm and Station, on Saturday, January 29, 1921, as the guests of the people of Denton.

Should this invitation be accepted,

all your expenses, including railroad and Pullman fare and diner service to and from Denton, and entertainment while in Denton, will be borne by the citizens of Denton without any expense whatever to the State of Texas.

Some of the reasons, in the opinion of the citizens of Denton, that should induce you to accept this invitation are as follows:

(1) The State of Texas has already made a large investment of money in the three permanently established institutions above mentioned, and it logically follows that the State will continue from year to year to provide for the maintenance and development of the said institutions.

(2) Two of the said institutions, the College of Industrial Arts and the North Texas State Normal College, both supported by the State, have been in operation about twenty years, and no Legislature in the history of the State has in a body visited them, while the Legislature has in a body visited and observed the work of some of the other educational institutions of the State.

(3) The visit of the Legislature would enable the members thereof to get first-hand information as to the character of work the said institutions are doing, and the value of the service they are rendering to the State.

(4) Such visit by the Legislature would enable the members thereof to better understand and more fully appreciate the function of each of the two said educational institutions in the State's system of education.

(5) The patronage of the College of Industrial Arts and of the North Texas State Normal College represents practically every county in the State in proportion to its population, the said patronage being by the constituency of practically every member of the House and of the Senate.

(6) Such visit by the Legislature would afford its members an opportunity, without cost to the State, to inspect two of the State's largest educational institutions in one day, being at the end of the week so that there will be little or no interference with the regular legislative work.

Should the invitation be accepted, the special train of Pullmans will leave Austin Friday evening, at an hour to be announced, and will arrive in Denton Saturday morning at about eight-thirty, and, returning to Austin, will leave Denton Saturday evening

about seven-thirty, arriving at Austin Sunday morning by not later than seven-thirty

Having full confidence in the intelligence, ability and unselfish patriotism of the members of the Thirty-seventh Legislature, and in view of the facts above set forth, the citizenship of Denton prays the acceptance of this invitation as tendered, and hopes to enjoy the privilege and the honor of entertaining you at their own expense while on this trip of inspection and study of the State's institutions located in our midst

Respectfully submitted for the citizenship of Denton.

John Speer, J. C. Coit, W. C. Edwards, W. H. Bruce, F. M. Bralley, Committee.

The above was read and Senator Dudley moved that the Senate accept the invitation tendered, which motion was adopted by the following vote:

Yeas—18.

Bailey.	Page.
Bledsoe.	Parr.
Carlock.	Rogers.
Cousins.	Russell.
Dudley.	Watts.
Hall.	Williams.
Hertzberg.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Nays—7.

Baugh.	Floyd.
Buchanan.	Murphy.
Darwin.	Suiter.
Davidson.	

Present—Not Voting.

McNealus.

Absent.

Clark.	Harp.
Fairchild.	Richards.

Absent—Excused.

Dorough.

### Bills and Resolutions.

By Senator McNealus:

S. B. No. 80, A bill to be entitled "An Act to amend and re-enact Chapter 6, Title 71, of the Revised Civil Statutes, providing for the incorporation, organization, regulation and supervision of mutual life insurance companies in this State, and providing

penalties for the violation of this Act."

Read first time and referred to Committee on Insurance and Banking.

By Senator Dudley:

S. B. No. 81. A bill to be entitled "An Act amending Sections 6 and 42 of an Act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act relating to the protection of wild game, birds, etc., and requiring a license for the purpose of hunting and to repeal all laws in conflict herewith, and declaring an emergency.'"

Read first time and referred to Committee on Internal Improvements.

By Senator Bailey:

S. B. No. 82. A bill to be entitled "An Act to amend Article 4621, Chapter 3, Title 68, of the Revised Statutes of Texas, of 1911, as amended by Chapter 194, Section 1, of the Acts of the Regular Session of the Thirty-fifth Legislature, by providing that the separate property of the husband shall not be subject to torts of the wife, and the separate property of the wife shall not be subject to the torts of the husband, and the community property of the husband and wife shall not be subject to the torts of the wife, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Dudley:

S. B. No. 83. A bill to be entitled "An Act to prevent the hunting of game birds, ducks, geese, brant and other water fowl with high-powered rifles, and declaring an emergency."

Read the first time and referred to Committee on Internal Improvements.

By Senator Witt:

S. B. No. 84. A bill to be entitled "An Act to amend Article 7797 of Chapter 1, Title 130, of the Revised Civil Statutes of the State of Texas, pertaining to trusts and conspiracies against trade so as to permit one corporation under the terms and upon the conditions of said article set out, and declaring an emergency."

Read the first time and referred to Committee on Civil Jurisprudence.

By Senator Murphy:

S. B. No. 85. A bill to be entitled "An Act providing for suspended sentences in misdemeanor cases in this State, and declaring an emergency."

Read the first time and referred to Committee on Criminal Jurisprudence.

By Senator Witt:

S. B. No. 86. A bill to be entitled "An Act to amend Chapter 129 of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, authorizing the State Board of Medical Examiners of this State to cancel the license of any licensed 'practitioner of medicine' when the facts are made known to it that such practitioner has been convicted of the crime of the grade of a felony, and for other reasons; repealing all laws in conflict therewith, and declaring an emergency."

Read the first time and referred to Committee on Public Health.

By Senator Darwin:

S. J. R. No. 6, to amend Section 24, Article 3, of the Constitution of the State of Texas to provide that the compensation of members of the Legislature shall not exceed \$10.00 per day for the first eighty days of each session, and not exceeding \$5.00 per day for the remainder of each session; instead of not exceeding \$5.00 per day for the first sixty days, and not exceeding \$2.00 per day for the remainder of the session, as now provided for in the State Constitution of Texas, Section 24, Article 3.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Murphy:

S. J. R. No. 7, a Joint Resolution proposing an amendment to Section 1 of Article 3, of the Constitution of the State of Texas, so as to provide for legislation in the State by the initiative and referendum, in addition the method of legislation now authorized and making an appropriation to carry out the purposes of the resolution.

Read first time and referred to Committee on Constitutional Amendments.

### Simple Resolution No. 21.

By Senator Cousins:

Whereas, the Hon. Dr. B. H. Carroll, who was American Consul at Venice during the entire period of the World War, and was Consul at Maples during the reconstruction period, and is now Consul at Cadiz, Spain, is in the city for the day; be it

Resolved, That he be allowed the privileges of the Senate Chamber,

and that he be asked to address the Senate.

COUSINS.  
DAVIDSON .

The resolution was read and adopted.

The Chair appointed Senators Cousins, Davidson and Murphy as a committee to escort Dr. Carroll to the President's stand, whereupon the Chair introduced him to the Senate. Dr. Carroll then addressed the Senate.

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, Jan. 21, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has accepted an invitation extended by the citizens of Denton to the members of the Legislature to visit that city; and the following committee has been appointed on the part of the House to confer with a committee of the Senate and complete arrangements for the visit:

Messrs: Miller of Dallas, Adams, Satterwhite and Lackey.

Respectfully Submitted,

N. K. BROWN,

Chief Clerk House of Representatives.

The Chair appointed a like committee as the above, on the part of the Senate, composed as follows:

Senators Williams, Darwin, Murphy and Bailey.

#### Senate Concurrent Resolution No. 2— House Amendments Concurred In.

Senator Bledsoe moved that the Senate concur in the House amendments to S. C. R. No. 2.

The motion was adopted.

#### Simple Resolution No. 22.

By Senator Page:

Be it Resolved by the Senate, That Senator Watts of Johnson County be made a member of the Committee on Insurance and Banking.

The resolution was read and adopted.

9—Senate.

#### Excused.

On motion of Senator Bailey, Senator Clark was excused for today.

On motion of Senator Richards, Senator Fairchild was excused for non-attendance on yesterday and for today.

On motion of Senator Witt, Senator Harp was excused for today.

Senator McNealus here moved that Senator Cousins and Senator Fairchild be added to the Committee on Labor. The motion was adopted.

#### Adjournment.

On motion of Senator Bailey the Senate at 11:20 o'clock a. m. adjourned until 10 o'clock Monday morning.

#### APPENDIX A.

##### Petitions and Memorials.

Senator McNealus sent up a number of petitions favoring the repeal of the minimum wage law. The petitions were referred to Committee on Labor.

Senator Buchanan sent up a telegram from Belton Chamber of Commerce, asking for the repeal of the minimum wage law.

Senator Hall offered a telegram from Wharton, asking for a law extending the time for payment of taxes for 1920-1921.

Senator Parr offered a newspaper article relative to the conditions of the State penitentiary inmates, relating to the treatment of prisoners. The article was read and Senator Bailey moved that the article be referred to Committee on Penitentiary Affairs, and that the committee be authorized to summons the author of the article, and others, before the committee for the production of evidence upon the subject. The motion was adopted.

A communication, addressed to the President of the Senate, from Rev. J. Frank Norris, presenting a petition on part of the Baptist organization of Fort Worth, asking for a law

prohibiting the operation of fairs on Sunday, was read and referred to Committee on Internal Improvements.

A petition from citizens at Blanco was read, asking for extension of time for payment of taxes, was read to the Senate.

A petition was also read to the Senate asking for a committee to fix price of cotton.

Senator Suiter offered a petition from Tyler asking for extension of time for payment of taxes. The petition was referred to Committee on State Affairs.

Senator Dudley offered a communication from an El Paso lady, giving a description of certain proposed laws of another State, such as requiring women to wear low-heeled shoes and prohibiting hip pockets for men's trousers. The communication was referred to Committee on Internal Improvements.

#### APPENDIX B.

Senate Chamber,  
Austin, Texas, Jan. 21, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, a majority of your Committee on Insurance and Banking, to whom was referred

S. B. No. 77, A bill to be entitled "An Act to fix the status of checks or drafts, when the maker or drawer thereof shall have died between the date of the check or draft and its presentation for payment, and declaring an emergency."

Have had the same under consideration and beg leave to report same back to the Senate with the recommendation that it do not pass.

PAGE, Chairman.

Senate Chamber,  
Austin, Texas, Jan. 21, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: A minority of your Committee on Insurance and Banking, to whom was referred

S. B. No. 77, A bill to be entitled "An Act to fix the status of checks or drafts, when the maker or drawer thereof shall have died between the date of the check or draft and its presentation for payment, and declaring an emergency,"

Have had same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass.

DUDLEY.

Senate Chamber,  
Austin, Texas, Jan. 21, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred

S. B. No. 78, A bill to be entitled "An Act to amend Chapter 156, Section 1, of an Act of the Thirty-fourth Legislature of the State of Texas known as An Act authorizing and regulating certain classes of indemnity contracts, empowering corporations to make such contracts and fixing certain fees and the penalty for violation thereof to include within the provisions of such Act individuals, partnerships, associations and corporations doing business under a plan of operation known as Lloyds, and declaring an emergency,"

Have had the same under consideration and beg to report same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

Committee Room,  
Austin, Texas, Jan. 21, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 38, A bill to be entitled "An Act creating, establishing and providing for the maintenance of a State Tuberculosis Sanatorium for Negroes,"

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass.

HALL, Chairman.

Committee Room,  
Austin, Texas, Jan. 20, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, having had under consideration

S. B. No. 61, A bill to be entitled "An Act reorganizing and adjusting the Fourth and Seventy-first Judicial District of Texas, incorporating Gregg County in the Seventy-first Judicial District and fixing the time of holding court in each of the several

counties of said two districts, and providing for the proper administration of said courts,"

Beg to report same back to the Senate with our recommendation that it do not pass, but that Senate Bill No. 61, as substituted by your committee, as here presented, do pass.

RICHARDS, Chairman.

Senate Chamber,  
Austin, Texas, Jan. 20, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 53 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Committee Room,  
Austin, Texas, Jan. 20, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, having under consideration

S. B. No. 56, A bill to be entitled "An Act extending for a period of five years from the date of the permit, on certain specified conditions, all permits to prospect for oil and gas heretofore issued on University land, and Public School land which is unsold at the time this Act goes into effect, and river beds or channels and fresh water lakes and islands therein, which have not expired and extending for a like period and on like conditions all permits to prospect for oil and gas heretofore issued on said land and said areas and all permits to prospect for oil and gas heretofore issued after the Mineral Act of 1917 went into effect, on islands, salt water lakes, bays, inlets, marshes and reefs owned by the State of Texas without tide water limits and that portions of the Gulf of Mexico within the jurisdiction of Texas, which permits have expired at the time this Act goes into effect, but on which the drilling of a well or wells has been begun in good faith or with reference to which permits and the right of the owner of the same to the possession of the area included therein bona fide litigation has existed during the whole or a part of the term of the permit; providing that said permits are extended on the condition that the owner pay to the State annually in advance, during the life of the permit, ten cents per acre, and all

past due payments, and that the owner of the permit shall drill, at the direction of the Commissioner of the General Land Office, such offset well or wells as may be necessary to protect the State's interest in the area included in the permit, and shall resume and diligently continue drilling already begun; and authorizing the Commissioner of the Land Office to forfeit the permit for the failure to make the payments aforesaid or to drill the offset well or wells or to resume or continue drilling; providing, that, if oil or gas should be produced in paying quantities, the owner of the permit shall apply for and obtain a lease upon the area without the payment of any additional sum of money and for a period not to exceed ten years, subject to renewal or renewals, providing for the filing of affidavits with reference to drilling or pendency or litigation, and declaring an emergency,"

Beg to report same back to the Senate with our recommendation that it do pass.

DAVIDSON, Chairman.

#### TENTH DAY.

Senate Chamber,  
Austin, Texas,  
Monday, January 24, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Paul D. Page.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Lewis.
Baugh.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Wood.
Harp.	Woods.
Hertzberg.	

Absent.

Bledsoe.	Russell.
Dorough.	Suiter.